

particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the examiner: (1) rejected Claim 11 on the grounds that it was unclear how the clamping element corresponds in shape and action to close tolerance screws; (2) rejected claim 13 on the ground that it was unclear what the "lift restricting elements" encompass; and (3) rejected claim 17 on the ground that it was unclear what a "suitable tool" encompasses and how it motorizes the guide spindles. Based on the comments below, the Applicant believes that the claims are not indefinite under § 112 second paragraph and should be allowed.

Claim 11:

The Applicant has amended Claim 11 to refer to "locking key" instead of "close tolerance screws." The original phrase "close tolerance screws" appears to be a translator error. In any event, amended claim 11 finds support at page 6, lines 24-26.

Claim 13:

Applicant believes that the claim limitation "lift restricting elements" is not indefinite under 35 U.S.C. § 112. The claim is fully supported by the specification at, at least, page 6, lines 31-34 and page 11, lines 12-13 and Figure 5.

Claim 17:

Applicant believes that the "suitable tool" limitation is not indefinite under 35 U.S.C. § 112. The claim is fully supported by the specification at, at least, page 4, line 32 through page 5, line 7. The phrase is further supported at Page 9, lines 12-15, where the specification discusses, "turning the stud attachments 9a, 9b in one of the directions illustrated by the arrows, one of the circular saw blades 2b can be displaced axially to the left or right in the direction of the arrow."

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Claim Rejections - 35 USC § 103:

The examiner rejected Claims 1, 2, 6, 7, 8, 10, 15, 17 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over Hamby et al., U.S. Patent No. 5,551,327, in view of Rabidou, U.S. Patent No. 1,525,323, and Fischer, U.S. Patent No. 5,119,707. The examiner characterizes Hamby et al. as disclosing the invention substantially as claimed including, two circular saw blades (10), centrally aligned shaft (20), support bodies (26) guide spindles that are parallel to the drive shaft and mounted equally distant from the axis. In addition, the examiner believes that Rabidou teaches such a stud attachment and that Fischer teaches a hydraulic clamping element.

The Applicant disagrees with the examiner's characterization of Hamby as disclosing the invention substantially as claimed. The invention includes several features not present in Hamby, including, "the guide spindles carry out the axial displacement of the circular saw blades" and "each guide spindle . . . is screwed into the associated nut of the respective single one of the support bodies. . . ."

In the invention, the axial displacement of the circular saw blade is carried out by the guide spindle. In Hamby, on the other hand, the guide rods(34) do not carry out the axial displacement of the circular saw blades. The axial displacement of the circular saw blade in Hamby is carried out by the interaction of an electric drive motor assembly 36 with a threaded drive nut 44 and a threaded drive engagement with the screw thread 42 of the sleeve 22. Hamby Col. 3, lines 25-29.

In addition, the guide spindles of the invention are screwed into the nut of the respective single one of the support bodies. The guide rods (34) of Hamby are affixed to both end flange plates (26). Hamby, Col. 3, lines 16-18.

The above-mentioned novel features, which are not present in Hamby, are present in all of the claims that the examiner rejected as obvious over Hamby. The novel features are also not disclosed in either Rabidou or Fischer. Accordingly, the rejected claims are not obvious over Hamby, Rabidou and Fischer and should be allowed.

New Claim:

Claim 22 has been added. It is the same as claim 1, except that it removes the unnecessary limitation to a "hydraulic clamping element."

Allowable Subject Matter:


The examiner stated that Claims 11, 13 and 17 would be allowable if rewritten to overcome the \$112 rejection and to include all of the limitations of the base claim and intervening claims. In addition, the examiner stated that Claims 3-5, 9, 12, 14, 16, 18 and 21 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary:

For the reasons set out above, Applicants respectfully request reconsideration of the application and allowance of claims 1-22.

Respectfully submitted,

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